

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 27, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-23984 – APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

1. That Title 6.40.140, “Location – Permissive district designated,” is hereby amended as follows:

Title 6.40.140 Location – Permissive districts designated.

Restricted gaming shall be limited to the following locations within the City and limited in scope of operation as follows:

- (A) Locations licensed for the sale of alcoholic beverages, other than a tavern, supper club or urban lounge, having less than five thousand square feet of usable floor space shall be permitted to operate not more than seven slot machines.
- (B) Locations licensed for the sale of alcoholic beverages, other than a supper club or urban lounge, having at least five thousand square feet of usable floor space, and taverns, regardless of the amount of their usable floor space, shall be permitted to operate not more than fifteen slot machines.
- (C) Locations that are licensed as supper clubs may operate not more than five slot machines, but only if the slot machines: are counter-top or table-top video gaming devices that are located within the bar area of the business operation.
 - (1) ~~Are counter top or table top video gaming devices that are located within the bar area of the business operation; and~~
 - (2) ~~Have been approved by means of a special use permit for a general business-related gaming establishment in accordance with LVMC Title 19.~~
- (D) Locations that are licensed as urban lounges may operate not more than five slot machines, but only if the slot machines are counter-top or table-top video gaming devices ~~but only if the slot machines have been approved by means of a special use permit for a general business-related gaming establishment in accordance with LVMC Title 19.~~

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- (E) Locations not licensed for the sale of alcoholic beverages but for which locations a special use permit for a general business-related gaming establishment is obtained in accordance with LVMC Title 19, having less than five thousand square feet of usable floor space shall be permitted to operate not more than four slot machines;
- (F) Locations not licensed for the sale of alcoholic beverages but for which locations a special use permit for a general business-related gaming establishment is obtained in accordance with LVMC Title 19, having at least five thousand square feet of usable floor space shall be permitted to operate not more than fifteen slot machines;
- (G) Locations licensed to operate not more than fifteen slot machines prior to February 6, 1991; provided, however, that a location with less than five thousand square feet of usable floor space which has in excess of the number of slot machines permitted by Subsections (A) and (E) of this Sections shall be limited to the operation of the number of slot machines licensed for such location as of February 6, 1991.

2. That Table 2 of Title 19.04.010, "Land Use Tables," is hereby amended as follows:

Table 2 – Land Use Table
Recreation, Entertainment & Amusement

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Gaming Establishment, General Business-Related	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	S	S	S	S	S
	Description: A building or structure which is primarily used for some business other than gaming and which is not licensed for the sale of alcoholic beverages, but in which restricted gaming is permitted upon approval of a Special Use Permit pursuant to Title 6.																				
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																				

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**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend Title 6.40 and Title 19.04 to revise the Special Use Permit requirements for General Business-Related Gaming uses.

EXECUTIVE SUMMARY

The proposed amendment will reduce duplicative Special Use Permit applications for alcohol and accessory gaming, which will improve staff efficiency while still allowing adequate public review. As this amendment is consistent with current licensing procedures, staff recommends approval of the request.

BACKGROUND INFORMATION

Title 6.40 and Title 19.04 currently require a separate Special Use Permit application for General Business-Related Gaming functions at Supper Clubs and Urban Lounges, even though these uses already require Special Use Permit approval for the alcohol use. The current practice by the Finance & Business Services Department is to not require a separate Special Use Permit for General Business-Related Gaming where a Special Use Permit has already been obtained for alcohol-related uses.

ANALYSIS

The amendment will remove the requirement for Supper Club and Urban Lounge operators to obtain two separate Special Use Permit approvals for the alcohol and gaming uses. Under the proposal, Supper Club and Urban Lounge uses would only be required to obtain a Special Use Permit for alcohol service; gaming for these uses would be permitted as an accessory use. For all other businesses that are eligible for Business-Related Gaming and where alcohol is not sold or served, a Special Use Permit will still be required.

The proposed amendment will eliminate an unnecessary application, saving time for both applicants and city staff. As a Special Use Permit will be required for alcoholic beverage service, there will still be an opportunity to address the accessory gaming component in a public hearing as part of the use permit review.

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FINDINGS

Staff finds that the proposed amendment for changes to the General Business-Related Gaming requirements will achieve the following:

- The number of applications will be reduced, removing duplication and saving time for staff and applicants;
- Members of the public will still be allowed to comment on applications as part of the Special Use Permit review process for alcohol; and
- The revisions are consistent with current licensing practices.

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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